

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 6.04 of the Lincoln Municipal Code by
2 adding a new Section 6.04.435, Animal Noise; Disturbing the Peace Prohibited, to make it
3 unlawful for any person to own, keep, or harbor any bird or animal which by loud, continued, or
4 frequent noise shall disturb the peace and quiet of any person or neighborhood; to provide
5 exceptions; and to provide defined fine amounts for first, second and third offenses; and
6 declaring an emergency.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Chapter 6.04 of the Lincoln Municipal Code be amended by
9 adding a new section numbered 6.04.435 to read as follows:

10 **6.04.435 Animal Noise; Disturbing the Peace Prohibited.**

11 (a) It shall be unlawful for any person to own, keep, or harbor any bird or animal
12 otherwise allowed by this title which by loud, continued, or frequent noise shall disturb the peace
13 and quiet of any person or neighborhood.

14 (b) This section shall not apply to:

15 (1) public zoos that maintains all legally required permits under applicable
16 state or federal law, including applicable rules and regulations of the Nebraska Game and Parks
17 Commission and federal wildlife agencies;

18 (2) Colleges and universities using animals for research and teaching;

19 (3) Humane societies;

20 (4) The business premises of licensed veterinarians;

1 (5) Any wildlife rescue organization with appropriate permits from the
2 Nebraska Game and Parks Commission that rehabilitate or shelter animals; or

3 (6) Authorized individuals sheltering animals belonging to a public zoo which
4 require extensive care or rehabilitation.

5 (c) Any person convicted of violating this provision shall be deemed guilty of a
6 misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail
7 for a period not to exceed six months or by a fine in a sum not more than \$500.00, recoverable
8 with costs, or both such fine and imprisonment, except that each person so convicted shall be
9 fined in a sum of not less than \$50.00 for the first offense; not less than \$75.00 for a second
10 offense; and not less than \$100.00 for the third offense and each offense thereafter.

11 Section 2. Whereas an emergency exists, this ordinance shall take effect and be
12 in force from and after its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

02-56

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____,
2002:
